



County of Los Angeles CHIEF EXECUTIVE OFFICE

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November 14, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

COMMUNITY CORRECTIONAL FACILITY CONTRACTING AVAILABILITY (ITEM NO. S-3, AGENDA OF SEPTEMBER 17, 2013)

On September 17, 2013, the Board requested a report on the availability of public community correctional facilities (CCFs) to contract with the County of Los Angeles (County). The purpose of the CCF contract(s) would be to transfer long-term sentenced non-serious, non-violent, non-sexual inmates (N3) to a CCF which will make local jail bed capacity available to increase the percentage of time served by the M-7 inmate population.

Based on our survey of the four CCFs with available jail beds, the City of Shafter is close to executing a contract the California Department of Corrections & Rehabilitation (CDCR), and the City of Taft is in active negotiations with the CDCR. The cities of Coalinga and Delano are having informal discussions with the CDCR, but have indicated interest in a potential contract with the County.

Background

The Public Safety Realignment Act of 2011 (AB109) transferred custody responsibility for sentenced N3s from the State prisons to local county jails. Should county jail population easing be necessitated, AB109 authorizes counties to contract and transfer N3s to public CCFs; however, counties are not permitted to contract with a private CCF. Since AB109 implementation in October 2011, the County's average daily jail population has grown from 15,400 to 19,000 inmates, including 6,250 N3s.

"To Enrich Lives Through Effective And Caring Service"

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There are 16 CCFs within California that have bed capacity for over 100 inmates, comprised of five publicly operated CCFs with the remainder privately operated, see Attachment I. The Sheriff engaged four public CCFs located in the California Central Valley, including Coalinga, Delano, Shafter, and Taft. The Sheriff did not consider the fifth public CCF, located in Susanville in Northern California, because of its significant distance. The public CCF jail bed availability is the consequence of CDCR's termination of their contracts upon implementation of AB109 which was anticipated to reduce the State prison population and make the CCF jail beds unnecessary. However, the CDCR has been unable to reduce its prison population to the federal three judge panel's mandate of 137.5 percent of capacity. Therefore, during the past few weeks the CDCR has actively pursued restoring the four CCF back into the State prison system.

CCF Overview

The CCFs are governed by their respective city council, the city manager is the contract administrator, the police chief has operations responsibility, and the CCF staff are city employees. During our survey, each city indicated they would require a 60 to 90-day startup period to hire and train staff; otherwise, they stated their respective CCFs are move-in ready. Should we proceed with contract negotiations, the Sheriff would need to validate their staffing plan, the move-in readiness of each CCF, and whether additional capital improvements are needed.

The following table summarizes our CCF survey:

Community Correctional Facility	No. Beds	Daily Bed Rate	Contract Term	Staffing	Capital Project Debt Service	Other Costs	Current Litigation
Coalinga	514	\$63	5 years (10 years preferred)	81 sworn 16 civilian	None	Start-up costs and early termination penalty	None
Delano	410	\$65 + 2% CPI	3 years + two 1-year extensions	52 sworn 10 civilian	None	\$2M in CDCR requested upgrades	None
Shafter	560	\$60	5 years	63 sworn 20 civilian	None	None	None
Taft	512	\$60.55	5 years	43 sworn 9 civilian	\$6M (cost in daily rate)	\$1M Unemployment reserve (cost in daily rate)	CDCR

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The City of Coalinga has expressed interest in a potential contract with the County. Although Coalinga is having informal discussions with the CDCR, the city indicated the CDCR does not have contracting priority. Therefore, the CDCR would not be able to preclude a CCF contract between Coalinga and the County; notwithstanding, County Counsel will need to confirm this presumption should we engage in negotiations. The quoted daily bed rate is \$63 plus start-up costs and early termination penalties (not quantified). The minimum term is 5 years, but the start-up costs and termination penalties could be waived under a 10 year contract. Education based incarceration/vocational programs are available through a collaboration with a local community college which may result in additional costs. Basic medical and dental services are included in the daily bed rate.

The City of Delano expressed interest in a potential contract with the County; however, they too are having informal discussions with the CDCR. Delano has also indicated the CDCR does not have contracting priority. The quoted daily bed rate is \$65 plus a 2 percent annual cost of living increase. The minimum term is 3 years with two 1-year extensions. Education based incarceration/vocational programming and basic medical/dental services are included in the daily bed rate. During their discussions, the CDCR has requested Delano make \$2 million in facility upgrades prior to the transfer of inmates.

The City of Shafter is waiting to execute the final contract documents with the CDCR. The quoted daily bed rate is \$60 with a minimum term of 5 years. Education based incarceration/vocational programming and basic medical/dental services are included in the daily bed rate.

The Board opted not to pursue a contract with Taft. Taft is now in active negotiations with the CDCR.

If you have any questions, please feel free to contact Georgia Mattera, Public Safety, at (213) 893-2374.

WTF:GAM:SW
DT:cc

Attachment

c: Executive Office, Board of Supervisors
County Counsel
Sheriff

ATTACHMENT I

**CALIFORNIA COMMUNITY CORRECTIONAL FACILITIES
AB109 CONTRACTING AVAILABILITY**

FACILITY	PUBLIC / PRIVATE	# OF BEDS	CONTRACT AVAILABILITY
COALINGA	PUBLIC	514	AVAILABLE/ CDCR NEGOTIATIONS
DELANO	PUBLIC	410	AVAILABLE/ CDCR NEGOTIATIONS
SUSANVILLE	PUBLIC	155	AVAILABLE (DISTANT)
SHAFTER	PUBLIC	560	PENDING CDCR CONTRACT EXECUTION
TAFT	PUBLIC	512	AVAILABLE/ CDCR NEGOTIATIONS
ADELANTO	PRIVATE	1,300	Not Permitted
CAI – BOSTON	PRIVATE	120	Not Permitted
CAI – 35TH ST.	PRIVATE	483	Not Permitted
CAL CITY	PRIVATE	2,304	Not Permitted
CENTRAL VALLEY	PRIVATE	625	Not Permitted
DESERT VIEW	PRIVATE	500	Not Permitted
GOLDEN STATE	PRIVATE	600	Not Permitted
LEO CHESNEY	PRIVATE	305	Not Permitted
MCFARLAND	PRIVATE	250	Not Permitted
MESA VERDE	PRIVATE	400	Not Permitted
WESTERN REG.	PRIVATE	700	Not Permitted